

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PENNSYLVANIA EMPLOYEES BENEFIT TRUST
FUND, on behalf of itself and all others similarly
situated,

Plaintiff,

vs.

ZENECA, INC.; and ASTRAZENECA
PHARMACEUTICALS, L.P.,

Defendants.

LINDA A. WATTERS, Commissioner, Offices of
Financial and Insurance Services for the State of
Michigan in her capacity as Rehabilitator of The
Wellness Plan and in her capacity as Liquidator of
Michigan Health Maintenance Organization Plans, Inc.,
formerly known as OmniCare Health Plan, Inc.,
individually and on behalf of all others similarly situated

Plaintiff,

vs.

ASTRAZENECA PHARMACEUTICALS, LP, and
ZENECA, INC.,

Defendants.

JOSEPH MACKEN, on behalf of himself and all others
similarly situated,

Plaintiff,

vs.

ASTRAZENECA PHARMACEUTICALS LP; AND
ZENECA, INC.,

Defendants.

Civil Action No. 1:05-cv-75 (SLR)

Civil Action No. 1:05-cv-196 (SLR)

Civil Action No. 1:05-cv-220 (SLR)

PLAINTIFFS' MOTION FOR THE ENTRY OF A PRETRIAL ORDER

Come now Plaintiffs Pennsylvania Employees Benefit Trust Fund, Linda A. Watters, and Joseph Macken, who move this Honorable Court for the entry of an order in the form of Exhibit 1 to Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1 for the reasons set forth in the Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1 filed simultaneously herewith.

Pursuant to Local Rule 7.1.1, Plaintiffs have attempted to reach an agreement with Defendants regarding Plaintiffs' motion for an entry of an order in the form of Exhibit 1 to Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1.

Plaintiffs provided a draft of the Proposed Pretrial Order No. 1 to Defendants on April 8, 2005. Plaintiffs then had several telephonic conferences with Defendants. Thereafter, Plaintiffs provided a revised draft on Wednesday, April 20, 2005. Plaintiffs explained that Defendants should submit their proposed edits to the draft by close of business on Thursday, April 21, 2005 because Plaintiffs would be seeking entry of Proposed Pretrial Order No. 1 on Friday, April 22, 2005. Defendants did not provide their comments in a timely manner. Notwithstanding their lack of timely written comments, Defendants have consented to the following relief provided in Proposed Pretrial Order No. 1: (1) consolidation of the above-captioned cases; (2) suspension of the briefing schedule of the Pennsylvania Employees Benefit Trust Fund Case; and (3) leave for Proposed Interim Co-Lead Counsel to file a Consolidated Class Action Complaint on or before May 27, 2005.

WHEREFORE, Plaintiffs respectfully request that the Court enter an order in the form of Exhibit 1 to Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1.

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